

Message Text

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45

ACTION AF-18

INFO OCT-01 EUR-25 ISO-00 SCCT-02 CIAE-00 DODE-00 PM-07

H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01

SPC-03 SS-20 USIA-15 OMB-01 AID-20 SY-10 IO-14 DRC-01

/166 W

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R 181230Z MAR 74

FM AMEMBASSY KHARTOUM

TO SECSTATE WASHDC 7864

INFO AMEMBASSY BRUSSELS

C O N F I D E N T I A L KHARTOUM 0597

E.O. 11652: GDS

TAGS: PINS, SU

SUBJ: KHARTOUM ASSASSINATION, APPELLATE PROCEDURE

REF: KHARTOUM 0573

1. SUDANESE LAWYER AL-TIJANI AL-KARIB MADE FOLLOWING POINTS TO AMBASSADOR MARCH 16 RE PROCEDURES NORMALLY FOLLOWED IN APPEALING MAJOR CASES IN SUDAN.

2. ACCORDING TIJANI, AN APPEAL FROM THE JUST-CONSTITUTED SUPERIOR COURT TO THE SUDANESE SUPREME COURT WILL BE AUTOMATIC IF DEATH SENTENCES ARE HANDED DOWN. IF SUPERIOR COURT PROCEEDINGS CONFIRM THE KNOWN FACTS, AND SINCE THE ACCUSED HAVE ALREADY CONFESSED, SUPERIOR COURT EXPECTED HAVE NO OPTION BUT TO IMPOSE DEATH SENTENCES. CASE WOULD THEN GO TO SUPREME COURT FOR CONFIRMATION SENTENCES. AT APPEAL STAGE, ONLY LAWYERS BOTH SIDES CAN BE HEARD AND ONLY POINTS OF LAW CAN BE REVIEWED. IN UNLIKELY EVENT THAT SUPERIOR COURT SHOULD HAND DOWN LESSER SENTENCES, EITHER PROSECUTION OR DEFENSE COULD INITIATE APPEAL TO SUPREME COURT. OTHERWISE, SUPERIOR COURT JUDGEMENT WOULD STAND.

3. TIJANI CHARACTERIZED ABU AGLA TRIBUNAL AS ABLE, EXPERIENCED
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AND REPRESENTING UNUSUALLY BROAD GEOGRAPHIC REPRESENTATION

(NILE, KHARTOUM AND KHARTOUM NORTH). HE CLAIMED THIS
DEMONSTRATED THAT CHIEF JUSTICE KHALAFALLA RASHID DETERMINED
SEE CASE HANDLED THOROUGHLY AND OBJECTIVELY.
BREWER

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NNN

Message Attributes

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